

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office AUG 21 1978

Returned to applicant for correction.....

Corrected application filed.....

Map filed AUG 21 1978

The applicant James Kearns

P.O. Box 32, of Winnemucca,
Street and No. or P.O. Box No. City or Town

Nevada 89445, hereby makes application for permission to appropriate the public
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is underground
Name of stream, lake or other source.

2. The amount of water applied for is 5.0 c.f.s. second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet.....acre-feet

3. The water to be used for quasi-municipal
Irrigation, power, mining, manufacturing, domestic, or other use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated).....

(b) Stockwater (state number and kinds of animals to be watered).....

(c) Other use (describe fully under "No. 12. Remarks") industrial subdivision

(d) Power:

(1) Horsepower developed.....

(2) Point of return of water to stream.....

5. The water is to be diverted from its source at the following point: SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, T.37N.,

R.38E., M.D.B.&M. or at a point from which the Southwest corner of
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,
said Section 21 bears S 5° 13' W 1,175'.
it should be stated.

6. Place of use portions of NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$; portions of the SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Describe by legal subdivision, if on unsurveyed land it should be so stated.

portions of SE $\frac{1}{4}$ NW $\frac{1}{4}$ and portions of W $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, T.37N.,

E.38E., M.D.B.&M.

7. Use will begin about 1st January and end about 31st December, of each year.
Day and Month Day and Month

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) well, pump, motor and pipelines

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

9. Estimated cost of works \$30,000.00
10. Estimated time required to construct works 3 years
11. Estimated time required to complete the application to beneficial use 5 years
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Use is expected to serve an industrial subdivision with water from a single source.

Applicant James Kearns

By s/ Robert N. Caldwell
Robert N. Caldwell (Agent)
510 Melarkey Street
Winnemucca, Nevada 89445

Compared jm/bl im/bl

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.5 cubic feet per second, but not to exceed 5.475 million gallons annually.

Actual construction work shall begin on or before August 8, 1979

Proof of commencement of work shall be filed before September 8, 1979

Work must be prosecuted with reasonable diligence and be completed on or before August 8, 1980

Proof of completion of work shall be filed before September 8, 1980

Application of water to beneficial use shall be made on or before August 8, 1982

Proof of the application of water to beneficial use shall be filed on or before September 8, 1982

Map in support of proof of beneficial use shall be filed on or before

Commencement of work filed..... IN TESTIMONY WHEREOF, I WILLIAM J. NEWMAN
 Completion of work filed..... State Engineer of Nevada, have hereunto set my hand and the seal of
 Proof of beneficial use filed..... my office, this 8th day of FEBRUARY
 Cultural map filed.....
 Certificate No..... Issued..... A.D. 19 79
 Recorded..... Bk..... Page..... 9 1980

CANCELLED
 County Recorder OCT

State Engineer